

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

MVL USA, Inc., <i>et. al.</i> ,)	
)	
Plaintiffs,)	
)	Nos. 24-1057, 24-1077,
v.)	24-1144, 24-1219, 24-1398
)	24-1433, 24-1461
THE UNITED STATES,)	(Judge Holte)
)	
Defendant.)	

DEFENDANT’S UNOPPOSED MOTION TO AMEND THE SCHEDULE

Defendant, the United States, respectfully requests that the Court issue a scheduling order directing that: 1) plaintiff, Hensel Phelps Construction Co. (HPCC), shall file its response to the Government’s motion to dismiss on or before March 18, 2025; and 2) the Government shall file a combined reply to all plaintiffs’ responses to the Government’s motion to dismiss on or before March 28, 2025. The Government has conferred in good faith with counsel for plaintiffs, and counsel for plaintiffs have indicated that plaintiffs do not oppose this motion.

The four non-HPCC plaintiffs in these consolidated cases filed their response to our motion to dismiss on March 3, 2025, which means that our reply to the response of the non-HPCC plaintiffs is currently due on March 17, 2025. *See* RCFC 7.2(b)(2). HPCC’s response to our motion to dismiss, however, is not currently due until March 24, 2025, and our reply to HPCC’s response would be due within 14 days of HPCC filing its response. *See* RCFC 7.2(b). Although our proposed amended schedule includes an 11-day enlargement of time for our reply to the non-HPCC plaintiffs’ response, our proposed schedule should promote the “just, speedy, and inexpensive determination” of this action by allowing the Government to file a single reply in support of its motion to dismiss, instead of two replies, and by making the final brief regarding

our motion to dismiss due earlier than it likely would have been due by following the schedule in RCFC 7.2(b).

For these reasons, we respectfully request that the Court grant this unopposed motion to amend the schedule.

Respectfully submitted,

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Dated: March 7, 2025